

1       **Sec. 8. Awards for claims against the state.**-There are

2 hereby appropriated for fiscal year 2007, from the fund as  
3 designated, in the amounts as specified, general revenue funds in  
4 the amount of \$3,500,000, special revenue fund in the amount of  
5 \$572,984, and state road funds in the amount of \$23,133 for  
6 payment of claims against the state.

1       **Sec. 9. Special revenue appropriations.**-There are hereby

2 appropriated for expenditure during the fiscal year two thousand  
3 seven appropriations made by general law from special revenue  
4 which are not paid into the state fund as general revenue under  
5 the provisions of section two, article two, chapter twelve of the  
6 code: *Provided*, That none of the money so appropriated by this  
7 section shall be available for expenditure except in compliance  
8 with and in conformity to the provisions of articles two and  
9 three, chapter twelve and article two, chapter eleven-b of the  
10 code, with due consideration to the digest of the budget bill  
11 prepared pursuant to article one, chapter four, unless the  
12 spending unit has filed with the director of the budget and the  
13 legislative auditor prior to the beginning of each fiscal year:

14       (a) An estimate of the amount and sources of all revenues  
15 accruing to such fund;

16       (b) A detailed expenditure schedule showing for what purposes  
17 the fund is to be expended.

1       **Sec. 10. State improvement fund appropriations.**-Bequests or

2 donations of nonpublic funds, received by the governor on behalf of  
3 the state during the fiscal year two thousand seven, for the purpose  
4 of making studies and recommendations relative to improvements of  
5 the administration and management of spending units in the executive  
6 branch of state government, shall be deposited in the state treasury  
7 in a separate account therein designated state improvement fund.

8       There are hereby appropriated all moneys so deposited during  
9 the fiscal year two thousand seven to be expended as authorized by  
10 the governor, for such studies and recommendations which may  
11 encompass any problems of organization, procedures, systems,  
12 functions, powers or duties of a state spending unit in the  
13 executive branch, or the betterment of the economic, social,  
14 educational, health and general welfare of the state or its  
15 citizens.

1       **Sec. 11. Specific funds and collection accounts.**-A fund or  
2 collection account which by law is dedicated to a specific use is  
3 hereby appropriated in sufficient amount to meet all lawful demands  
4 upon the fund or collection account and shall be expended according  
5 to the provisions of article three, chapter twelve of the code.

1       **Sec. 12. Appropriations for refunding erroneous payment.**-Money  
2 that has been erroneously paid into the state treasury is hereby  
3 appropriated out of the fund into which it was paid, for refund to  
4 the proper person.

5       When the officer authorized by law to collect money for the  
6 state finds that a sum has been erroneously paid, he or she shall

7 issue his or her requisition upon the auditor for the refunding of  
8 the proper amount. The auditor shall issue his or her warrant to  
9 the treasurer and the treasurer shall pay the warrant out of the  
10 fund into which the amount was originally paid.

1       **Sec. 13. Sinking fund deficiencies.**-There is hereby  
2 appropriated to the governor a sufficient amount to meet any  
3 deficiencies that may arise in the mortgage finance bond insurance  
4 fund of the West Virginia housing development fund which is under  
5 the supervision and control of the municipal bond commission as  
6 provided by section twenty-b, article eighteen, chapter thirty-one  
7 of the code, or in the funds of the municipal bond commission  
8 because of the failure of any state agency for either general  
9 obligation or revenue bonds or any local taxing district for general  
10 obligation bonds to remit funds necessary for the payment of  
11 interest and sinking fund requirements. The governor is authorized  
12 to transfer from time to time such amounts to the municipal bond  
13 commission as may be necessary for these purposes.

14       The municipal bond commission shall reimburse the state of West  
15 Virginia through the governor from the first remittance collected  
16 from the West Virginia housing development fund or from any state  
17 agency or local taxing district for which the governor advanced  
18 funds, with interest at the rate carried by the bonds for security  
19 or payment of which the advance was made.

1       **Sec. 14. Appropriations for local governments.**-There are  
2 hereby appropriated for payment to counties, districts and municipal

3 corporations such amounts as will be necessary to pay taxes due  
4 counties, districts and municipal corporations and which have been  
5 paid into the treasury:

6 (a) For redemption of lands;

7 (b) By public service corporations;

8 (c) For tax forfeitures.

1 **Sec. 15. Total appropriations.**-Where only a total sum is  
2 appropriated to a spending unit, the total sum shall include  
3 personal services, annual increment, employee benefits, current  
4 expenses, repairs and alterations, equipment and capital outlay,  
5 where not otherwise specifically provided and except as otherwise  
6 provided in TITLE I-GENERAL PROVISIONS, Sec. 3.

1 **Sec. 16. General school fund.**-The balance of the proceeds of  
2 the general school fund remaining after the payment of the  
3 appropriations made by this act is appropriated for expenditure in  
4 accordance with section sixteen, article nine-a, chapter eighteen of  
1 the code.

### **TITLE III-ADMINISTRATION.**

1 **Section 1. Appropriations conditional.**-The expenditure of the  
2 appropriations made by this act, except those appropriations made to  
3 the legislative and judicial branches of the state government, are  
4 conditioned upon the compliance by the spending unit with the  
5 requirements of article two, chapter eleven-b of the code.

6 Where spending units or parts of spending units have been  
7 absorbed by or combined with other spending units, it is the intent

8 of this act that appropriations and reappropriations shall be to the  
9 succeeding or later spending unit created, unless otherwise  
10 indicated.

1       **Sec. 2. Legislative intent.**-It is the intent of the  
2 Legislature that the duly appointed members of the conference  
3 committee on this bill may formulate and set forth in a budget  
4 digest recommendations for the expenditure of money appropriated by  
5 this bill after its enactment. It is the further intent of the  
6 Legislature that the recommendations set forth in the budget digest  
7 are an expression of legislative intent, do not have the force and  
8 effect of law, and may not be construed to alter the lawful  
9 enactment of this bill.

1       **Sec. 3. Constitutionality.**-If any part of this act is declared  
2 unconstitutional by a court of competent jurisdiction, its decision  
3 shall not affect any portion of this act which remains, but the  
4 remaining portion shall be in full force and effect as if the  
5 portion declared unconstitutional had never been a part of the act.